

BOARD OF SUPERVISORS PUBLIC HEARING

SUBJECT: ZMAP-2013-0004, Wildwood Farms Active Adult

ELECTION DISTRICT: Catoctin

CRITICAL ACTION DATE: Extended to January 14, 2015

STAFF CONTACTS: Judi Birkitt, Project Manager, Planning & Zoning
John Merrithew, AICP, Acting Director, Planning & Zoning

APPLICANT: Gary Leygraff, Pulte Group

PURPOSE: This application seeks to rezone approximately 105.6 acres from TR-10 (Transitional Residential - 10) to TR-2 (Transitional Residential - 2) in order to develop an age-restricted community consisting of up to 177 single-family detached residential units. The subject property is situated on the north side of Sycolin Road, the south side of the Dulles Greenway, and west of the Goose Creek.

RECOMMENDATIONS: On December 2, 2014, the Planning Commission (Commission) forwarded this application to the Board of Supervisors (Board) with a recommendation of **approval**, subject to the Proffer Statement dated October 30, 2014, and based on the Findings for Approval included on page 3 of this Staff Report. The Commission voted 5-3-1 (Ruedisueli, Ryan, and Scheel-opposed; Klancher-absent) to forward the application to the Board with a recommendation of **approval**. The Commission also moved that the Board consider whether a Comprehensive Plan Amendment (CPAM) is needed for the portion of the Transition Policy Area situated west of the Goose Creek and south of Sycolin Road.

Staff recommends **denial** of the rezoning application. The proposed density is not in conformance with the Comprehensive Plan; it is seventeen (17) times more density than envisioned in the Revised General Plan. The application proposes 177 total units (1.7 dwelling units per acre) in contrast to the planned density of ten (10) total units (1 unit per 10 acres). Opening up the Transition Policy Area to such a density increase would be a fundamental direction change for the County that deserves more consideration than that given in an individual rezoning application. Further, the proposal is inconsistent with the County's policy objectives to focus age-restricted housing in the Suburban Policy Area based on the availability of planned transit, pedestrian connectivity, and safe and

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convenient access to a full range of retail, recreational, civic, and personal and public services.

SUGGESTED MOTIONS:

1. I move that the Board of Supervisors forward ZMAP-2013-0004, Wildwood Farms Active Adult, to the February 4, 2015, Board of Supervisors **Business Meeting** for action (*time extension needed*).

OR

2. I move that the Board of Supervisors forward ZMAP-2013-0004, Wildwood Farms Active Adult, to the **Transportation and Land Use Committee** for further discussion (*time extension necessary*).

OR

3. I move an alternate motion.

I. APPLICATION INFORMATION	
APPLICANT Pulte Home Corporation Gary Leygraff, Vice President, Land Development 703-934-7830 Gary.leygraff@pultegroup.com	REPRESENTATIVE Walsh, Colucci, Lubeley, Emrich & Walsh, PC Andrew A. Painter, Esquire 703-737-3633 apainter@ldn.thelandlawyers.com
REQUEST An application to rezone approximately 105.6 acres from the TR-10 (Transitional Residential-10) zoning district to the TR-2 (Transitional Residential-2) zoning district in order to develop an age restricted active adult community with up to 177 single family detached dwelling units at a density of up to 1.7 dwelling units per acre. The area is governed by the policies of the <u>Revised General Plan</u> and the <u>2010 Countywide Transportation Plan</u> .	
PARCELS/ACREAGE Tax Map Number /61/////////16/ (PIN# 194-19-9296)/105.6 acres	
ACCEPTANCE DATE June 12, 2013	LOCATION On the north side of Sycolin Road (Route 625), on the south side of the Dulles Greenway (Route 267), and on the west side of the Goose Creek
ZONING ORDINANCE Revised 1993	EXISTING ZONING TR-10 (Transitional Residential-10) QN (Quarry Notification) Overlay District-Luck Note Area (partially) FOD (Floodplain Overlay District) (partially)
POLICY AREA Transition Policy Area (Lower Sycolin Subarea)	PLANNED LAND USE Residential uses at a density of up to 1 dwelling unit per 10 acres

II. PLANNING COMMISSION REVIEW AND RECOMMENDATION

Public Hearing, September 16, 2014 - The Planning Commission (Commission) held a public hearing on this item on September 16, 2014. Six (6) members of the public spoke, five (5) of whom opposed the application. Public concerns included setting a precedent for increased density in this area, increased traffic and safety on Sycolin Road, the isolated nature of the site for active adults, the lack of sidewalks along Sycolin Road, negative impacts to property values, and environmental impacts upon the Goose Creek.

Commission discussion focused upon density, setting a precedent for increased density within the Transition Policy Area and whether situating age-restricted housing within the Transition Policy Area could provide safe and convenient pedestrian access to amenities and services. The Commission reviewed and commented on the current supply of senior housing approved and built in the County and the lack of bus service along Sycolin Road. The Commission asked the Applicant to consider a density reduction and a site configuration with less floodplain impacts. The Commission forwarded the application to a work session for further discussion (6-2-1, Ruedisueli, Scheel opposed; Ryan absent for the vote).

Work Session, December 2, 2014 - The applicant revised the submission for the Commission worksession, and the changes included the following:

- Reduced the proposed number of single-family detached residential age-restricted units from 242 to 177.
- Increased the proposed amount of open space from fifty percent (50%) to seventy percent (70%).
- Increased the proffered on-site County park land from 33.6 acres to 41.2 acres.
- Increased the depth of the buffer across the subject property's Sycolin Road frontage from approximately 110 feet to approximately 150 feet.
- Proffered a one-time \$50,000 cash contribution for the purchase of fire and rescue equipment.
- Proffered to construct twenty-two (22) age-restricted, single-family detached, affordable dwelling units and to make a \$285,142 unmet housing needs cash contribution.
- Proffered a scheduled shuttle service from the Community Center to within ten (10) miles.
- Increased the project's regional road cash contribution from \$5,000 per unit to \$7,500 per unit.
- Proffered to construct two (2) roundabouts at the project entrance and Turner's Farm Lane on Sycolin Road as an interim traffic calming measure.
- Addressed environmental issues.
- Proffered to offer universal design features (such as added grab bars, wider interior doors, single level living, and pull out drawers) with the residential units as options.

- Reduced the size of the proffered clubhouse from 4,000 square feet to 2,500 square feet, omitted the proffered 4,000 square-foot swimming pool, and added proffered bicycle racks and a tot lot.

During the work session on December 2, 2014, the Commission's discussion focused on density, pedestrian access to amenities, and the proposed Sycolin Road roundabouts. The Commission was clearly divided on the proposed rezoning. Some stressed the importance of "sticking to the Plan [Revised General Plan]", which calls for a total of ten (10) houses on the subject property, regardless of whether or not the units are age-restricted. These Commissioners described Sycolin Road as a rural, wooded thoroughfare from which few homes are visible. They also cautioned that approving the proposed density would set a precedent that would result in extending increased densities between the subject property and westward to the Town of Leesburg, thereby degrading the Transition Policy Area.

In contrast, other Commissioners found the proposed density of seventeen (17) times the County's adopted Comprehensive Plan acceptable, given that the 177 units would be age-restricted and would not fiscally impact the school budget, and the project would provide seventy percent (70%) open space, including a 41-acre proffered park to the County. Commissioners suggested that increased density on the south side of Sycolin Road might be compatible with the utility, quarry, and future data center uses located north of Sycolin Road. The Commission forwarded this application to the Board with a recommendation of **approval** (5-3-1: Ruedisueli, Ryan, and Scheel-opposed; Klancher-absent), subject to the Proffer Statement dated October 30, 2014, and based on the Findings for Approval in the following Section of this Staff Report. The Commission's motion included the following direction for the Applicant:

1. Examine alternatives (cash-in-lieu or off-site construction) other than actual construction of the twenty-two (22) Affordable Dwelling Units (ADUs), given that a single-family detached unit may not be affordable to the age-restricted population.
2. Explore proffering two (2) golf carts for use by residents on the development's internal public streets and trails.
3. Remove both of the proffered roundabouts on Sycolin Road, as the County does not support them on a major collector road. *(As of the writing of this staff report, Staff has received no new proffers to reflect the requested changes, given the short turn-around time following the work session.)*

The Commission's motion for approval also included a request that the Board consider a Comprehensive Plan Amendment (CPAM) for the general area west of the Goose Creek and south of Sycolin Road.

III. PLANNING COMMISSION FINDINGS FOR APPROVAL

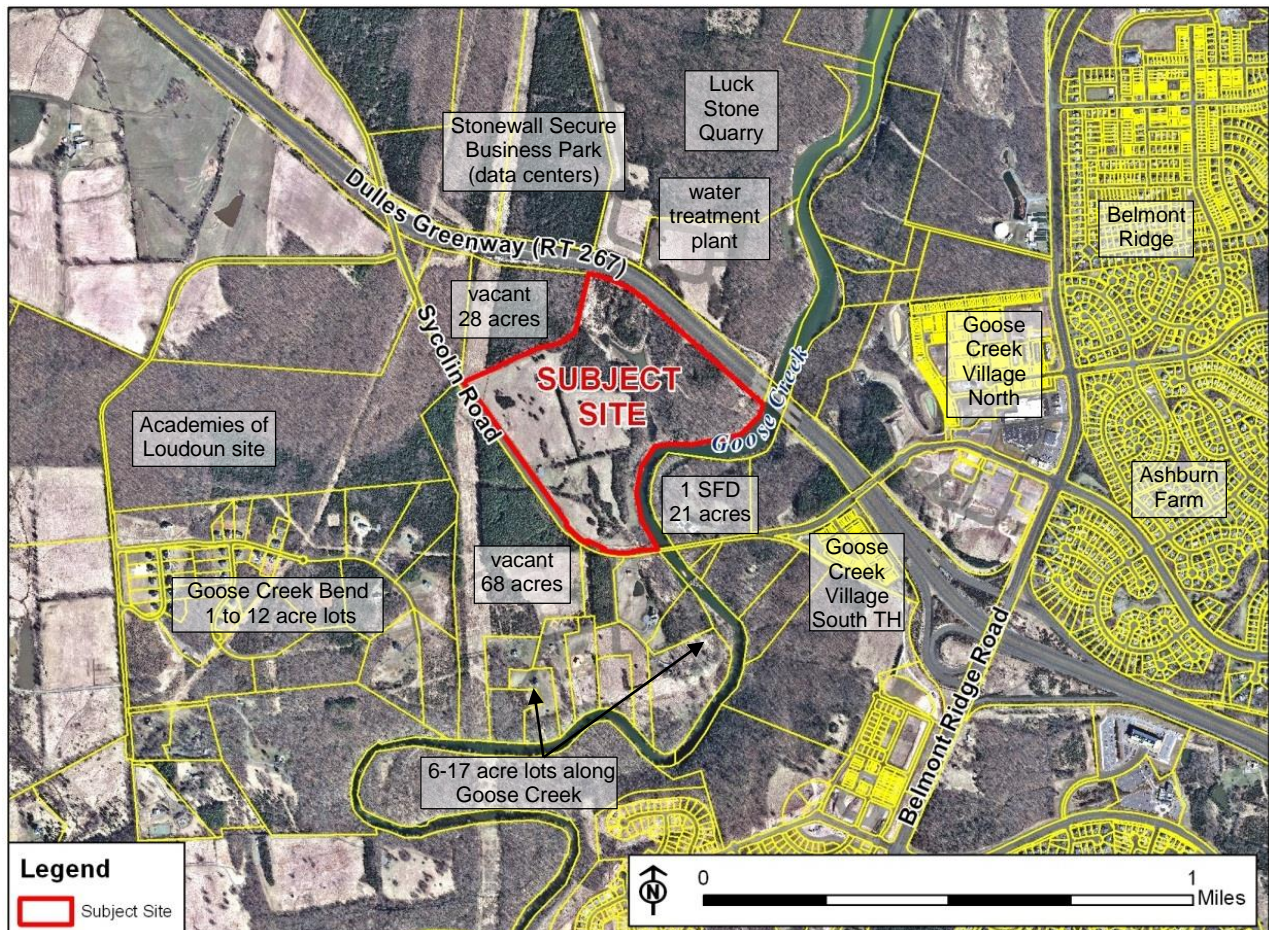
1. This application generally meets the Comprehensive Plan for location and transit.
2. This application provides a reasonable use for the property.

3. This application is generally compatible with other uses in the area.
4. This application provides for unmet housing needs for adults.
5. This application does not have a negative fiscal impact on the County's school requirements.
6. This application has an open space preservation that is in accordance with the Comprehensive Plan.

IV. CONTEXT

Location/Site Access – The 105.6-acre subject property is bordered by the Dulles Greenway to the north, Goose Creek to the east, and Sycolin Road to the south and west. It is situated immediately northwest of Murray's Ford Bridge. The subject property has frontage along the north side of Sycolin Road and is currently accessed from three (3) existing gravel entrances on Sycolin Road.

Figure 1. Vicinity Map



Source: County GIS Records. Department of Planning & Zoning.

Directions - From Leesburg, take the Leesburg Bypass (US15 North Bypass/VA 7 East Bypass) to the Dulles Greenway East towards the Dulles International Airport. Take Exit 2/Battlefield Parkway. Turn left onto Battlefield Parkway. Turn right onto Sycolin Road. After crossing over the Dulles Greenway, the subject property will be on the left (Black post and rail wood fencing extends along the site frontage).

Figure 2. Existing Conditions.



Sycolin Road property frontage.



Unnamed tributary to Goose Creek,
central portion of subject property,
facing south.



Southern portion of property, facing east.



Eastern property boundary,
facing northeast towards
Goose Creek and Dulles Greenway.

Existing Conditions – The subject property is a rural setting and environmentally sensitive as the Lower Goose Creek forms the eastern property boundary. The only existing structures include two (2) barns that are proposed to be demolished in order to redevelop the property. Black post and rail wood fencing extends along the site's Sycolin Road frontage. Environmental features include areas of very steep and moderately steep slopes, hardwood forests (dominated by oak and hickory) in the northeastern portion of the property, and mixed

hardwoods within the Goose Creek floodplain, river and stream corridors, wetlands, major and minor floodplain areas, and habitat. Heritage resources on the property include the Murray's Ford Conservation Site, which is significant for the natural heritage resource known as Northern Piedmont Mafic Barren (NPMB) community (known from scattered rock outcrops containing diabase, metabasalt, amphibolite, and other mafic rocks). This conservation site is classified as having a "very high significance". Other resources on the subject property include the State threatened Green Floater, Wood Turtle Habitat, and Northern Hardban Basic Oak Hickory Forest.

A majority of the subject property lies within the QN (Quarry Notification Overlay District) associated with Luck Stone Quarry. Approximately ten (10) feet of the northwest corner of the subject property lies within the Airport Impact (AI) Overlay District, within one mile of the Ldn 60 noise contour of the Leesburg Executive Airport.

Surrounding Properties

North – The subject property is bounded to the north by the Dulles Greenway (Route 267), which defines the boundary between the North Lower Sycolin Subarea of the Transition Policy Area and the remainder of the Lower Sycolin Subarea. See below for background on the recently adopted North Lower Sycolin Comprehensive Plan Amendment (CPAM-2013-0001). North of the Greenway, is property approved for Loudoun Water's Water Treatment Plant. Phase 1 construction is planned to be completed in 2016, and to result in a 20 million gallons per day (MGD) facility to serve the current demand. Phase 2 will expand the facility to 40 MGD to serve the 2035-2040 water demands. To the northwest of the subject property is the approved yet not constructed Stonewall Secure Business Park: up to 4.9 million square feet of data center and office uses, a water storage tank, a water treatment plant, an indoor firearm range, and a utility substation (transmission). Further north is the Stonewall Hybrid Energy Park, natural gas fueled electric power plant, which is currently under construction, and Luck Stone Quarry.

East – The Goose Creek forms the eastern boundary of the subject property and the eastern boundary of the Transition Policy Area. The Suburban Policy Area lies east of the Goose Creek. Of the two parcels east of the creek, the property with frontage along Sycolin Road is zoned R-1 (Single Family Residential) and occupied by a single-family detached residence (2-stories, 3,000 square feet, 21-acre lot, constructed in 1940) that also hosts special events, such as weddings. Loudoun County owns the northernmost 18.5-acre parcel, an open space easement granted by Goose Creek Village South.

South – South of the subject property, a series of parcels ranging from six (6) to seventeen (17) acres line the Goose Creek. The land use pattern of these parcels is consistent with the County's objectives for the TR-10 (Transitional Residential-10) zoning district and the Lower Sycolin Subarea of the Transition Policy Area. The property is rural in character, heavily treed, and either undeveloped or occupied with single-family detached residences.

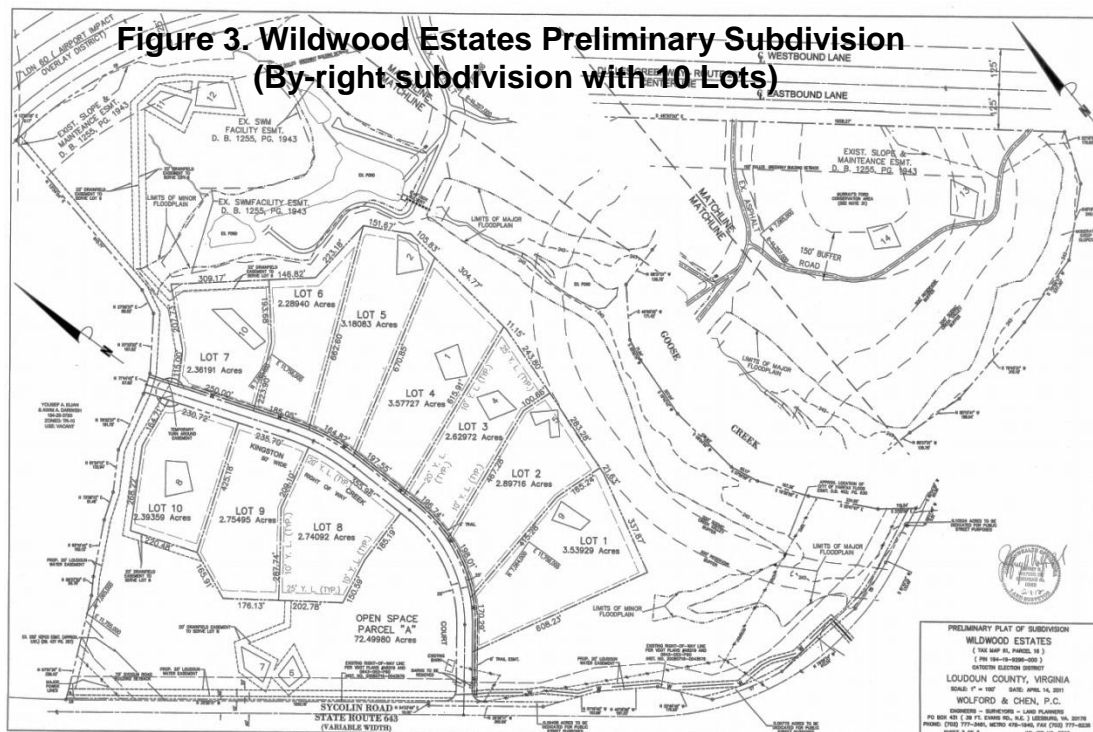
West – Properties to the west, on both sides of Sycolin Road, are also zoned TR-10 (Transitional Residential-10), are within the Lower Sycolin Subarea of the Transition Policy

Area, and are rural and undeveloped. The County has no record of development plans for the twenty-eight (28) acres located on the north side of Sycolin Road. The property on the southwest side of Sycolin Road is the future Academies of Loudoun site (anticipated 2018 opening).

Background

Loudoun County's Inventory of Age Restricted Housing – As of January 1, 2014, the County had a total of 9,781 total age-restricted units either constructed or in the pipeline (permit issued or approved yet to be constructed or permitted). Of these 9,781 units, 8,304 units (85%) were independent living/active adult and 1,477 units (15%) were assisted living/nursing home units. Two attached documents prepared by the County Demographer track the County's inventory of age-restricted housing by "Planning Subarea". Attachment 3a lists age-restricted projects in which all units in the project were built or permitted as of January 1, 2014. Attachment 3b includes age-restricted projects that were approved and had remaining units to be permitted as of January 1, 2014. The subject property is located within the Leesburg Planning Subarea. Additionally, refer to Attachments 3c, 3d, and 3e for information regarding Loudoun County's age population projections through 2040.

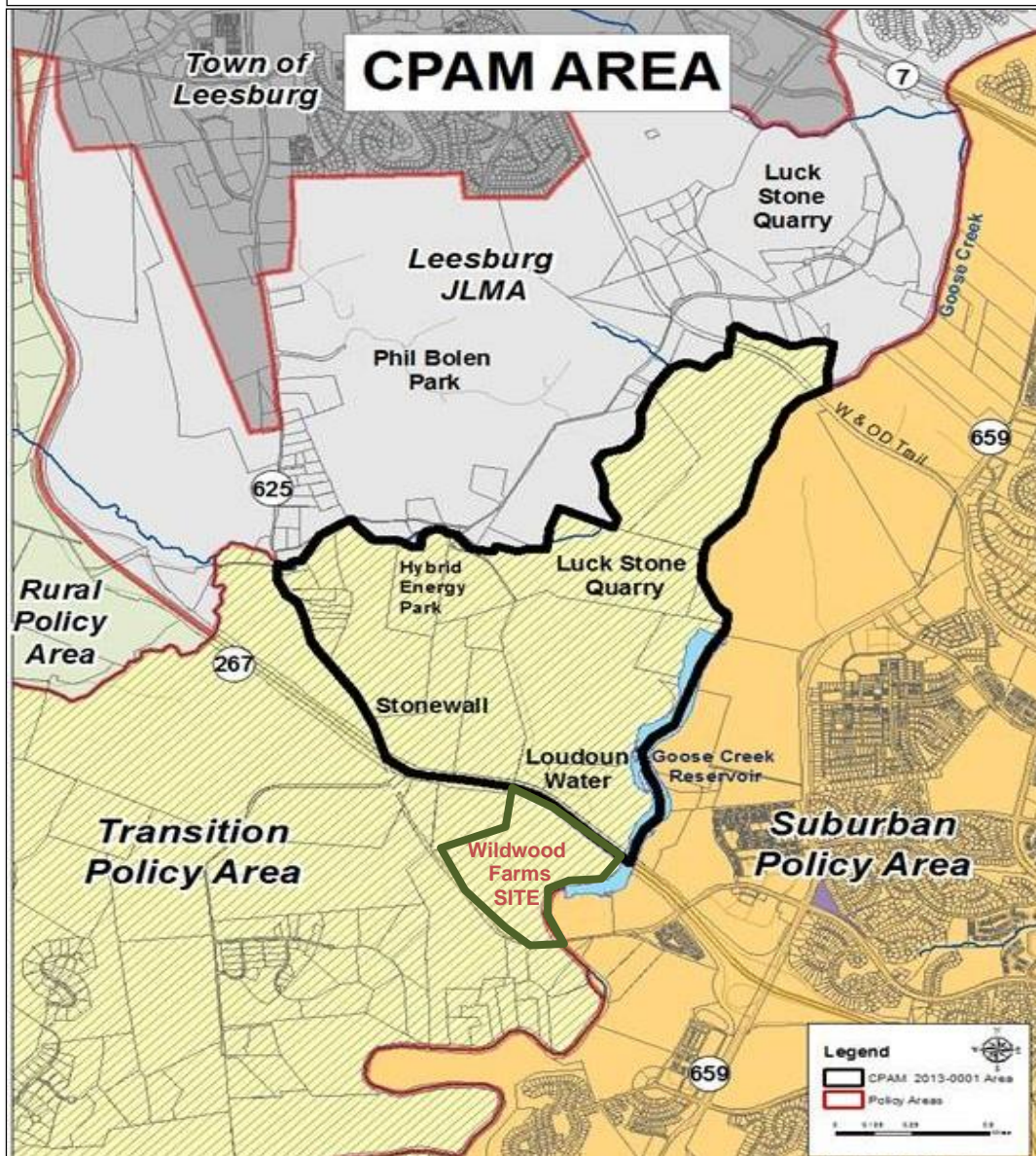
Wildwood Estates SBPL-2008-0011 - The County has approved a preliminary subdivision (Wildwood Estates, SBPL-2008-0011) under the existing TR-10 zoning district for the subject property on February 7, 2012. That project would include ten (10) single-family detached residential units (not age-restricted) and one (1) open space parcel with seventy percent (70%) open space. Lot sizes range from 6.5 acres to 14 acres. The subdivision would generate eight (8) school age students. Upon their request, the County granted a one year extension of the preliminary subdivision approval until February 7, 2015. Staff



recommends that the property be developed with 10 lots in accordance with the approved Wildwood Estates subdivision plat (SBPL-2008-0011), as it is in conformance with the density, open space, and environmental objectives of the Transition Policy Area. The subdivision provides open space along the Sycolin Road frontage and the Goose Creek and avoids impacts to major and minor floodplain areas. It would be consistent and compatible with the existing development pattern of the residential lots that line the Goose Creek to the south of the subject property.

North Lower Sycolin CPAM-2013-0001 - With the North Lower Sycolin Comprehensive Plan Amendment (CPAM), the Board amended the “*Planned Land Use*” and the Revised General Plan (RGP) policies to reflect the emerging industrial character of the northern

**Figure 4. Lower Sycolin Comprehensive Plan Amendment Area,
North of Dulles Greenway**



portion of the Lower Sycolin Subarea of the Transition Policy Area. Such area is located northeast of Sycolin Road (Route 625) and the Dulles Greenway (Route 267), east of the Leesburg Joint Land Management Area (JLMA), and west of Goose Creek. The area is emerging as an industrial area with the legislative approval of several rezonings between 2008 and 2011 that permit the development of a natural gas fueled electric power plant (ZMAP-2009-0005, Stonewall Hybrid Energy Park), data centers (ZMAP-2008-0017, Stonewall Secure Business Park), an expansion of Luck Stone Quarry (ZMAP-2009-0003), and Loudoun Water water treatment plant (ZMAP 2009-0004). The approved rezonings converted approximately 700 acres of land that was previously zoned TR-10 (Transitional Residential-10) to MR-HI (Mineral Resource-Heavy Industry), PD-GI (Planned Development-General Industrial) and PD-IP (Planned Development-Industrial Park).

In their findings for approval for the above rezoning applications, the Board identified the unique circumstances that apply to the particular area north of the Greenway: the coexistence of a major underground natural gas transmission and a high-voltage overhead electric transmission line corridor that offer an exceptional industrial opportunity, concentrations of diabase rock in proximity to existing quarrying operations, which the RGP recognizes as a substantial economic resource, and the long range plans of Loudoun Water to make the County more self-sufficient by developing a reliable water supply system and treatment plant.

Public Comment - One member of the public has provided comments on Loudoun Online Land Applications (LOLA) in opposition to the rezoning. Comments stated that the zoning is in place for a reason—to provide a buffer between the east and west and designed to aesthetically and environmentally block suburban sprawl.

V. PROPOSAL

Zoning Map Amendment Petition – Pulte Home Corporation seeks approval of a Zoning Map Amendment (ZMAP) to rezone approximately 105.6 acres from Transitional Residential 10 (TR-10) to Transitional Residential 2 (TR-2) under the Revised 1993 Zoning Ordinance. The application proposes to develop the subject property with up to 177 single-family detached age-restricted residential units, including twenty-two (22) Affordable Dwelling Units (ADUs). A separate lot near Sycolin Road would contain a sewer pumping station that Loudoun Water advises would be necessary to serve the development.

Table 2. Summary of Proposed Uses.	
	Number of Units/Size
Single Family Detached Residential All Age-restricted to 55 or older ¹	Up to 177 units, including 22 ADUs
Sewer pumping station	0.5 acre minimum

¹Age-restricted housing - occupied by at least one person fifty-five years of age or older per dwelling unit in accordance with Virginia Code Annotated 36-96.7 and 42 USCA (b) (2). Covenants shall also provide that no permanent resident under 19 years of age may reside on the Property for a period of time exceeding 90 days in any consecutive 12 month period. (Proffer I. C.)

Clubhouse/Community Center containing at a minimum: A multipurpose meeting room/studio An exercise studio A computer/media room Tot lot Bicycle racks	Minimum 2,500 sf clubhouse
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The application proposes seventy percent (70%) open space, consisting of:

- 31 acres of Homeowners Association ("HOA") maintained open space that includes the Community Center with recreational amenities as described in the above table.
- 41.2 acres adjacent to the Goose Creek conveyed to the County as a park with Conservation Easement.

Figure 5. Wildwood Farms Illustrative.



The application would provide scheduled shuttle service to offsite locations within ten (10) miles for residents by annual contract with Loudoun County Transit or a community-operated and managed transit service. Such shuttle service would be established prior to issuance of the 100th zoning permit. For an annual fee, the shuttle would make regularly scheduled stops at the Community Center (“bus stop”). As proffered, the Homeowners Association would take an annual survey to determine the need for the shuttle service and determine if the service would be modified or continued.

The application also proposes public internal streets. The proposal includes two (2) entrances on Sycolin Road and a Type 2 Landscape Buffer, a berm (unspecified size), and a 10 foot wide multipurpose trail along the Sycolin Road frontage.

The table below summarizes the Applicant’s proffered per residential unit cash contributions, which are consistent with the anticipated policy contribution amounts.

Table 3. Summary of Proffered Per Unit Cash Contributions.		
Proffered Contribution	Amount	Total
Capital Facilities	\$14,198/unit (177 units)	\$2,513,046
Unmet Housing Needs	\$1,839.62/market rate unit (177 units minus 22 ADUs = 155 units)	\$285,142
Regional Road Improvements		
Discretionary	\$5,000/unit (\$885,000)	\$1,327,500
Sycolin Road/Goose Creek Bridge	\$2,500/unit (\$442,500)	
Transit	\$625/unit	\$110,625
Fire & Rescue	\$120/unit	\$21,240
Emergency Equipment Contribution	-	\$50,000
Total Proffered Contributions	-	\$4,307,553

VI. OUTSTANDING ISSUES

Staff has identified the following three (3) outstanding issues:

1. **Land Use/Density** – The application proposes seventeen (17) times the density envisioned by the Revised General Plan (RGP). Based on policy guidance, residential uses, whether age-restricted or not, would not be appropriate at the proposed densities within the Lower Sycolin subarea of the Transition Policy Area. Policy would support a residential cluster containing no more than 10 dwelling units (1 dwelling unit per 10 acres). The application proposes 177 single-family detached age-restricted residential units (1.7 units per acre). The Goose Creek represents an important visual boundary between the two policy areas with more suburban style development to its east and more rural development to its west. The project would be the first suburban residential development to breach the western edge of the Suburban Policy Area.
 - a. **Age-restricted Housing Justification** - Offering age restricted housing appears to be the application’s primary justification for opening the Transition Policy Area. However, the proffers include no guarantee to construct age-restricted housing. The

proffers offer universal design elements as an option. Any house in any community can offer universal design elements as an option. The proffers do not commit to a particular building type, such as one-story patio home, which is conducive to an older population. The proposed zoning district is not limited to an age-restricted housing population like the County's PD-AAAR (Planned Development Active Adult Age Restricted) zoning district.

- b. **Incompatibility** - The proposed density would be incompatible with the existing development pattern in the area. There is an existing group of parcels to the south of the subject property that line the Goose Creek; these parcels range in size from six (6) to seventeen (17) acres. This existing development pattern is consistent with the Comprehensive Plan. The Applicant's active by-right subdivision with ten (10) lots would be compatible with the existing development pattern and the Comprehensive Plan—one (1) dwelling unit per 10 acres.
 - c. **Comprehensive Plan Amendment (CPAM)** - Any consideration to open up the Transition Policy Area to a density increase that would be seventeen (17) times the planned density would be a fundamental directional change for the County. Such a change deserves more consideration than could be given during an individual rezoning application. Staff recommends upholding the existing Comprehensive Plan. However, should the Board decide to consider the current rezoning application, Staff recommends first considering a Comprehensive Plan Amendment that involves the public and fully considers the long-term implications, fiscal impacts, and quality of life impacts associated with such increased densities.
2. **Location of Proposed Age-Restricted Community/Access to Amenities and Services** - The County's policy objectives seek to focus age-restricted housing in the Suburban Policy Area based on the availability of planned transit, pedestrian connectivity, and safe and convenient access to a full range of retail, recreational, civic, and personal and public services. The proposed location for age-restricted housing is rural, low-density, and auto-dependent. The proposal includes no onsite retail and personal services, such as a barber shop, pharmacy, bank, or grocery to meet the daily needs of the residents. The entrance to the proposed community would be located roughly 1.5 miles from the nearest retail services. Sidewalks are not provided on the full stretch of roadway between the subject property and the nearest retail services at Goose Creek Village. The two-lane bridge that currently crosses over the Dulles Greenway and the topography in the area present a barrier to providing pedestrian connectivity that is reasonable to serve the residents of an age-restricted community (ages 55-74). Over time, as residents of any age-restricted community age in place and become less mobile, the need for sidewalks and bus service would become more important.
3. **Proposed Zoning District** – The proposed TR-2 zoning district is not the appropriate district for developing an active adult community. The PD-AAAR (Planned Development Active Adult Age Restricted) district would be a more suitable district for the proposed use, because the purpose and intent of the PD-AAAR district is “to provide for the

establishment of planned adult residential communities that provide important housing opportunities for a population 55 years of age or older. . .” However, the PD-AAAR district is intended to be located somewhere other than the Transition Policy Area—in urban and suburban areas of the County where high density residential uses would otherwise be consistent with the County's Comprehensive Plan policies. Permitted density within a PD-AAAR zoning district is up to thirty (30) dwelling units per acre, so that density would not be suitable in the Transition Policy Area. The PD-AAAR zoning district requires a minimum amount of on-site amenities to serves the daily goods, service, recreational, and transportation needs of its residents. Recently approved age-restricted housing developments—Ashby Ponds, Gatherings at Cascades, Waltonwood, and Potomac Green—are zoned PD-AAAR. To locate age-restricted housing on the subject property, the application would need to reduce the density to ten (10) total units and provide the amenities described in the PD-AAAR zoning district.

4. **Proffer Statement** – The Applicant is preparing revised proffers to address comments from the Office of the County Attorney and direction from the Planning Commission to remove the roundabouts on Sycolin Road, examine alternatives to constructing the twenty-two (22) Affordable Dwelling Units (ADUs), and consider proffering two (2) golf carts for resident’s use on internal public streets and trails.

VII. POLICY ANALYSIS

Zoning Map Amendment Petition (ZMAP) Criteria for Approval - Zoning Ordinance Section 6-1210(E) of the Revised 1993 Zoning Ordinance states that if an application is for a reclassification of property to a different zoning district classification on the Zoning Map, the Planning Commission shall give reasonable consideration to six (6) factors or criteria for approval. These criteria for approval are organized below by category, followed by Staff’s analysis.

A. LAND USE

ZO §6-1210(E)(1) *Appropriateness of the proposed uses based on the Comprehensive Plan, trends in growth and development, the current and future requirements of the community as to land for various purposes as determined by population and economic studies and other studies and the encouragement of the most appropriate use of land throughout the locality.*

Analysis – Staff has identified two (2) critical outstanding land use issues associated with the rezoning application. First, the application proposes seventeen (17) times more density than envisioned by the Revised General Plan. Approval of such a density increase could set a precedent that would result in a long-term change of character to the Transition Policy Area. Second, the inaccessibility of the subject property to daily services and amenities and the topography in the area present a barrier to pedestrian connectivity that would be reasonable to serve the residents of an age-restricted community.

1. **Density** – Excessive density is the application’s principal issue. Based on Revised General Plan (RGP) policy, residential uses, whether age-restricted or not, would not be appropriate at the proposed densities within the Lower Sycolin subarea of the Transition Policy Area. Development pattern is the foundation of the RGP. The development pattern planned for this community of the Transition Policy Area is one (1)

dwelling unit per ten (10) acres. Given the 105.6-acre subject property, County land use policy would support a residential cluster containing no more than 10 dwelling units. In contrast, the application proposes 177 single-family detached residential units, which represents seventeen (17) times more density than envisioned by the RGP.

The subject property's existing TR-10 zoning district mirrors and implements the RGP's TR-10 policy guidance. The Board affirmed the planned density in 2003 when they rezoned (ZOAM-2002-0003 and ZMAP-2002-0014) the subject property to TR-10 in order to implement the RGP's Transitional Residential (TR) zoning districts and sub-districts. In order to comply with the Comprehensive Plan, the proposal would need to be reduced to a maximum of ten (10) age-restricted dwelling units.

Any consideration of approving increased density within the Transition Policy Area should fully contemplate the precedent-setting nature that this increased density would have. The Goose Creek represents an important visual boundary between the two policy areas with more suburban development patterns to its east and substantially rural development to its west. The majority of the area west of Goose Creek and south of the Dulles Greenway is either undeveloped or developed with very low density. If approved, this project would be the first suburban density residential development to breach the western edge of the Suburban Policy Area and could set a precedent for future rezoning requests for increased densities within the Transition Policy Area. Increased densities would have long-term implications on the character of the Transition Policy Area.

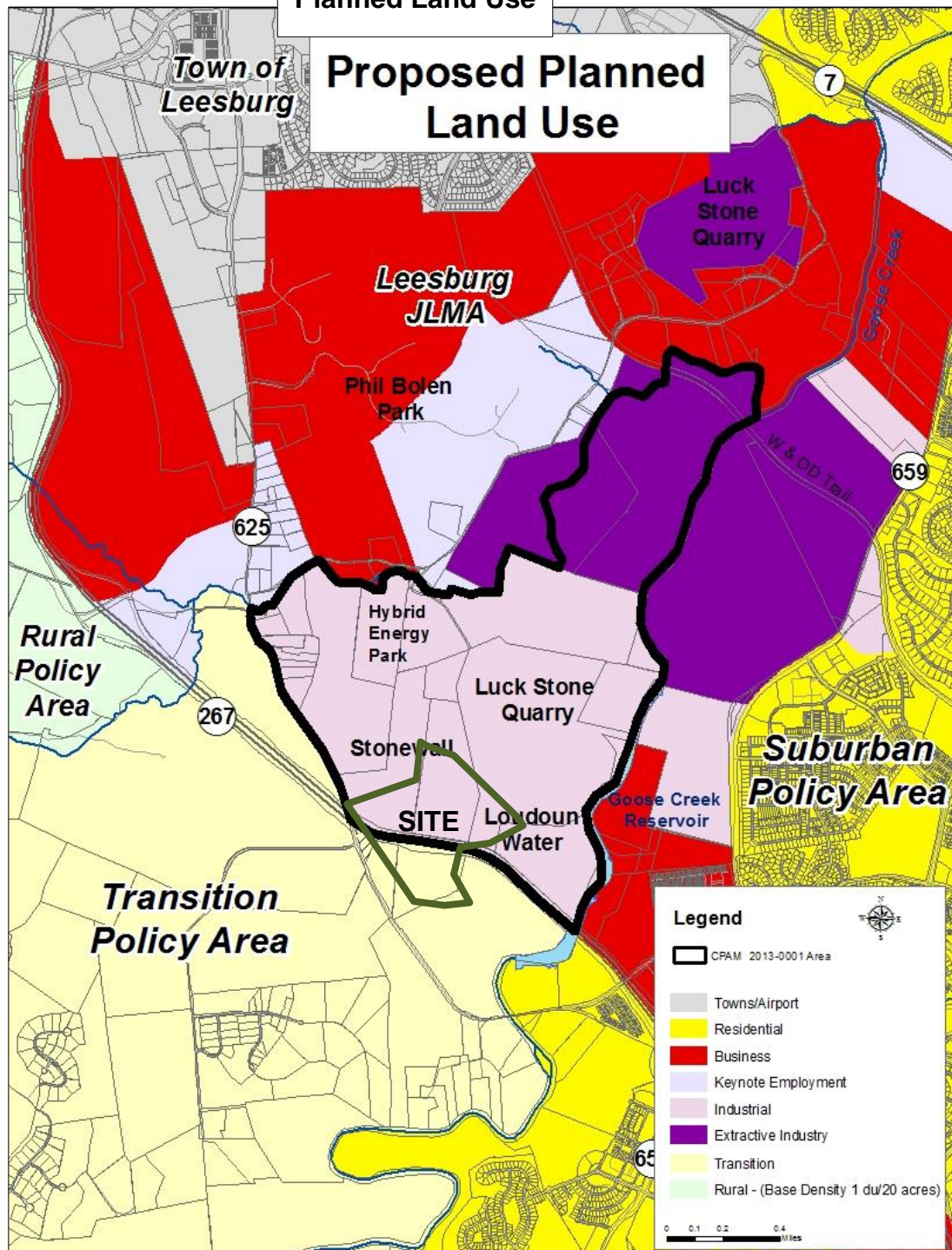
The North Lower Sycolin Comprehensive Plan Amendment (CPAM-2013-0001) north of the Greenway is no justification to extend increased residential densities south of the Greenway and west of the Goose Creek. The Board identified a unique set of circumstances and needs that applied to a particular area north of the Greenway: the coexistence of a major underground natural gas transmission and a high-voltage overhead electric transmission line corridor that offered an exceptional industrial opportunity as well as concentrations of diabase rock in proximity to existing quarrying operations, which the RGP recognizes as a substantial economic resource. There are no circumstances described in the application to suggest that it is unique need or that it would not set a precedent for similar proposals to increase densities within the Transition Policy Area. Offering age restricted housing appears to be the application's primary justification for opening the Transition Policy Area to seventeen (17) times more density than currently planned.

The densities in the Transition Policy Area were established to provide a visual and spatial transition between the suburban and rural policy areas. The application has increased the amount of open space from fifty percent (50%) to seventy percent (70%) and has increased the depth of the buffer across the subject property's Sycolin Road frontage from approximately 110 feet to approximately 150 feet. However, in the proposed site layout, the open space would be concentrated on the west side of the property in order to preserve the Goose Creek, and the density would be concentrated on the east side of the property. The resulting density appears much higher (closer to 5 units per acre) than if the open space were dispersed across the entire property in small

clusters separated by open space. Natural open space would not encircle and intersperse the community. Natural open spaces would not be the predominant visual element when viewing the proposed development from Sycolin Road. The proposed development would not create a visual and spatial transition between the suburban densities in the east and the rural densities in the west. Rather, the proposed development pattern would visually extend suburban densities west of the Goose Creek into the Transition Policy Area.

Staff recommends upholding the adopted Comprehensive Plan and developing the property under the approved preliminary subdivision for Wildwood Estates (SBPL-2008-0011), which includes ten (10) single-family residential lots. This active preliminary subdivision is in conformance with the density, open space, and environmental objectives of the Transition Policy Area. The existing TR-10 zoning is in conformance with the Comprehensive Plan and provides a reasonable use of the property.

Figure 6.
Planned Land Use



2. **Inaccessibility for Age-restricted Housing** – The proposed location is not in keeping with the County's overall policy objective to locate all types of active adult retirement housing central to their daily goods and service needs with a range of transportation options in order to provide safe and convenient access between the residences and the services.
- a. **Auto-oriented Location** - Policy guidance states that the preferred location for age-restricted housing is within the Suburban Policy Area because the transportation infrastructure has been planned and largely constructed for the Suburban Policy Area, including a road network, pedestrian and bicycle facilities, and transit to serve the residents. Further, the public services that would serve the age-restricted population are located within the Suburban Policy Area and within town centers.

Recognizing these service and transportation goals, the Revised General Plan provides the following policy guidance to direct the location of age-restricted housing:

- Preferred location - Suburban Policy Area in areas planned Residential
- Integrated into larger master planned mixed-use communities, to allow sharing amenities and services
- Near commercial and retail centers within towns, along main streets, near or at town and urban centers and transit stations, and near the commercial cores within larger master planned communities, to ensure residents the benefits of safe and convenient access to the amenities and services typically available in such pedestrian oriented, mixed-use environments.
- Transition Policy Area - only when the development follows design guidelines for villages and does not exceed the maximum permissible rezoning densities in their respective Transition Policy Subarea

The subject property is not within the Suburban Policy Area. The subject property is not integrated within a mixed use community, such as Lansdowne or One Loudoun so residents could benefit from sharing amenities such as swimming pools and golf courses. The subject property is not located within a town center or commercial center, so that residents could easily access a library, post office, senior center, or general government services. There are no sidewalks connecting the subject property to the Town of Leesburg or to Goose Creek Village so the residents could conveniently access shopping, restaurants, places of worship, doctors, or pharmacies. The proposal does not follow design guidelines for a village and exceeds the maximum density prescribed for the Transition Policy Area by seventeen (17) times. The subject property is located within an auto-dependent area of the County, rather than a pedestrian-oriented, mixed use environment.

Figure 7. Bridge over Goose Creek.



More specific to sidewalks, County policy guidance states:

All new proposals for retirement communities shall demonstrate that safe and convenient pedestrian (sidewalks or trails) and/or bicycle facilities exist or will be in place when senior residents move into the development to connect the proposed development with amenities and services available within reasonable distances in the surrounding area. . . (Revised General Plan Chapter 2. Planning Approach. C. Adult/Retirement Housing Policies. Transportation Policies. 1.)

The Applicant contends that its residents are not the typical “over 55” and will continue to work from home and travel by car to the Town of Leesburg, Goose Creek Village, or Ashburn Village. The entrance to the subject property would be located roughly 1.5 miles from the nearest retail services. Even if 1.5 miles is considered walkable, pedestrian facilities are not provided on the full stretch of roadway between the subject property and Goose Creek Village. The two-lane bridge that currently crosses over the Dulles Greenway and the topography in the area present a barrier to implementing pedestrian connectivity that is reasonable to serve the residents of an age-restricted community (ages 55-74). Application materials indicate that the target age for the community is 55 to 74. Over time, as residents of any age-restricted community age in place and become less mobile, the need for sidewalks, and proximity to daily needs and public services, would become more important. The proposal to offer a fee-based shuttle will not offer the same level of access and freedom that a better situated site could offer residents.

- b. Lack of Amenities** - As discussed within the Zoning section of this staff report, Staff questions if the proposed TR-2 zoning district is the most appropriate district for developing an active adult community and notes that the PD-AAAR (Planned Development Active Adult Age Restricted) would be a more suitable district to locate this use. At a minimum, staff recommends that the age-restricted community provide the amenities that would be required within the PD-AAAR. The PD-AAAR zoning district requires a minimum amount of on-site amenities to serves the daily goods,

service, recreational, and transportation needs of its residents. The majority of the recently approved age-restricted housing developments—Ashby Ponds, Gatherings at Cascades, Waltonwood, and Potomac Green—are zoned PD-AAAR. Regency at Ashburn is zoned PD-H6 and located within Ashburn Village. The table below compares the proposed amenities at Wildwood Farms with the amenities required within the PD-AAAR zoning district. Policy guidance for age-restricted amenities and services is very similar to the requirements of the PD-AAAR zoning district.

Table 4. Comparison between Proposed Amenities and Required Amenities in the PD-AAAR Zoning District	
PD-AAAR Zoning District Required Onsite	Proposed Wildwood Farms Proffered On-site
Clubhouse <i>including all:</i> <ul style="list-style-type: none"> • meeting rooms • auditorium • theater • business office • recreational facilities and • other uses related to adult community living 	Clubhouse (minimum 2500 sf) <i>including:</i> <ul style="list-style-type: none"> • multipurpose meeting room/studio • computer/media room
Retail and Commercial Service (only for the development) <i>such as:</i> <ul style="list-style-type: none"> • grocery/convenience food store • pharmacy • medical services • barber shop • beauty shop, • personal care facilities • eating and drinking establishments • library • bank and financial institutions • business services • laundry • cleaners (Total up to 10% of gross residential building floor area)	None.
Swimming Pool	None.
Health or Fitness Center	Exercise studio in Clubhouse
Active Recreation Space	Passive Recreation Space <ul style="list-style-type: none"> • 31-acre HOA open space with walking trails • 41-acre conservation area • Tot lot • Bike racks

The application includes no onsite retail or personal service uses, no onsite chapels or religious facilities, and no on-site active recreation space. In comparison, Potomac Green proffered a 1,400 square foot swimming pool and two (2) tennis courts. Waltonwood proffered a 1,800 square foot swimming pool, a post office, and a beauty/barber shop. Ashby Ponds includes an onsite chapel, theatre, and indoor swimming pool. Refer to Attachment 4 for a more complete list of on-site amenities provided by recently approved age-restricted communities (Ashby Ponds, Regency at Ashburn, Gatherings at Cascades, Waltonwood, and Potomac Green). The applicant contends that fewer onsite amenities would result in more affordable housing for the residents and reduce the financial burden on the future homeowners association. However, this is contrary to the County's age-restricted housing

objectives to locate amenities either onsite or to provide safe and convenient access between the residents and their daily amenities and service needs.

Table 5. Land Use - Resolved Issues.	Proffer Condition or Note
<p><u>Shuttle Service</u> – County policy calls for all new age-restricted proposals to integrate transit facilities to ensure residents access to local and regional amenities and services. Prior to the Planning Commission work session, the application was revised to include scheduled shuttle service for residents to offsite locations within ten (10) miles by annual contract with Loudoun County Transit or a community-operated and managed transit service. Such shuttle service would be established prior to issuance of the 100th zoning permit. For an annual fee, the shuttle would make regularly scheduled stops at the Community Center (“bus stop”). As proffered, the Homeowners Association would take an annual survey to determine the need for the shuttle service and determine if the service would be modified or continued. Potomac Green’s (ZMAP-2002-0016) shuttle proffer included similar language allowing the HOA to discontinue the shuttle. Staff contacted Potomac Green and verified that Loudoun County Transit currently makes regularly scheduled stops at Potomac Green’s clubhouse.</p>	<p>Proffer III.G.</p>

B. COMPATIBILITY

ZO §6-1210(E)(2) *The existing character and use of the subject property and suitability for various uses, compatibility with uses permitted and existing on other property in the immediate vicinity, and conservation of land values.*

Analysis – The proposed development has one compatibility issue, as it would be incompatible with the rural, low-density residential, and agricultural character of the existing and planned properties in the vicinity (south of the Dulles Greenway). See the Background section of this report for a discussion of the properties on the north side of the Greenway.

1. **Incompatible with Existing & Planned Residences** - The proposed rezoning would result in a density that would be incompatible with the existing residences within the TR-10 (Transitional Residential) zoning district to the south and west and R-1 (Single Family Residential) to the east. The property to the east is zoned R-1, which allows one (1) unit per acre. The existing residence to the east is a 2-story, 3,000 square foot historic home (constructed in 1940) on a 21-acre lot. The property is also used for special events, such as weddings.

The proposed development would be incompatible with the existing homes that have developed nearby to the south along the Goose Creek. A group of six to 17-acre lots, some of which are vacant and some have been developed since 2005 with two-story homes ranging in size from 4,000 to 5,500 square feet. The development pattern is consistent with the Transition Policy Area. The proposed development would also be incompatible with the existing residences that have developed in the nearby Goose Creek Bend since 2008. The lots on the eastern portion of Goose Creek Bend, closest to the subject property, range in size from 10 to 12 acres and contain two-story homes

ranging in size from 3,000 to 5,500 square feet. The lots on the western portion of Goose Creek Bend are as small as one acre with two-story homes as large as 6,000 square feet. Even the smallest 43,560 square-foot lots are incompatible with the proposal for one lot per 20,000 square feet.

Regarding the future Academies of Loudoun, the Applicant has questioned the compatibility of the future school with the rural, residential character of the area. In general, schools are compatible with the residential neighborhoods they serve. Specifically, the Academies of Loudoun is consistent with the Comprehensive Plan, which encourages non-residential uses such as schools, churches, and large institutional uses within the Transition Policy Area, provided they promote a rural character, represent an appropriate transition in land development intensity from suburban to rural land uses, and establish natural open spaces as the predominant visual element. The school site is located well off of Sycolin Road, and surrounded by wooded parcels on three sides. The school site layout is clustered at the rear of the property with natural open spaces as the predominant visual element as viewed from Sycolin Road. For information on Academies of Loudoun, see <http://lcps.org/Page/130415>.

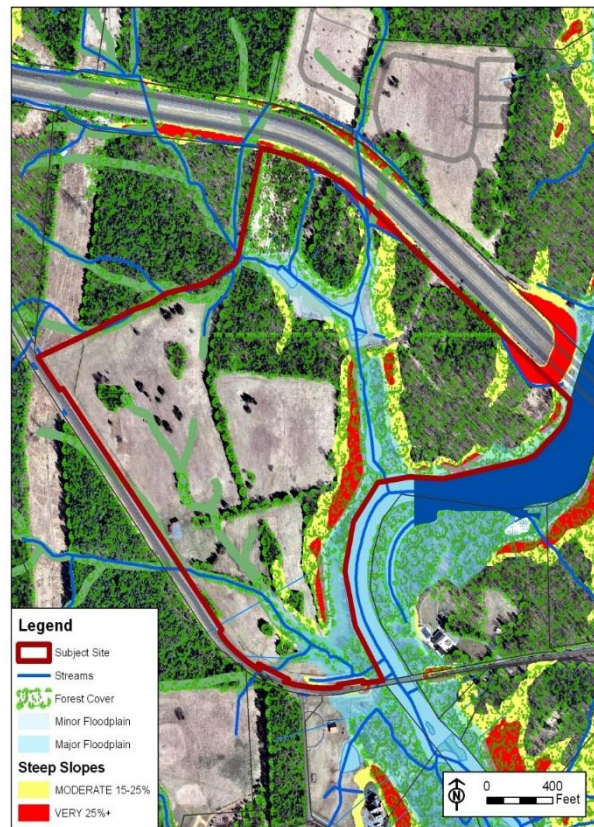
C. ENVIRONMENTAL AND HERITAGE RESOURCES

ZO §6-1210(E)(5) *Potential impacts on the environment or natural features including but not limited to wildlife habitat, wetlands, vegetation, water quality (including groundwater), topographic features, air quality, scenic, archaeological, and historic features, and agricultural and forestal lands and any proposed mitigation of those impacts.*

Analysis – There are no remaining outstanding environmental issues, although a primary focus of Staff's review has been potential environmental impacts. The subject property is environmentally sensitive and the proposed rezoning would impact wetlands, floodplain, forest resources, and habitat.

Although the application has addressed environmental issues, the best way to protect water quality and environmental resources is to maintain the low densities described in the adopted Comprehensive Plan and reinforced with the existing TR-10 zoning district. The planned development pattern, lower densities, and higher open space requirements within the Transition Policy Area reflect the environmental sensitivity of this portion of the County and are intended to preserve significant environmental resources and maintain the rural character west of Goose Creek. The Goose Creek supports two critical drinking water reservoirs, the Goose Creek and Beaverdam Reservoirs, which are sources of drinking water for Loudoun County, Fairfax County, and the City of Fairfax and must be protected.

Figure 8. Environmental Resources.



Throughout the review process, the application has increased the proposed open space from fifty percent (50%) to seventy percent (70%), has shifted proposed uses out of the floodplain, increased the proposed Conservation Area adjacent to the Goose Creek from thirty-one (31) acres to forty-one (41) acres. The application provides the 300-foot buffer from the Goose Creek as defined by the river and stream corridor policies of the RGP. While the application does not provide the additional 1,000-foot voluntary buffer because said buffer would encompass approximately two-thirds of the subject property, the application provides a variable width buffer ranging from 300 feet to 1,100 feet, with an average width of 630 feet.

The table below summarizes how the application has responded to other environmental and heritage resource issues.

Table 6. Environmental and Heritage Resources Resolved Issues.	Proffer Condition or Note
<u>Stormwater Management/Trash Rack</u> – In response to public comments regarding trash in the Goose Creek, the application includes a proffer to construct stormwater management (SWM) facilities that include a trash rack to capture loose trash from	Proffer IX.A.i.

stormwater runoff for the purpose of preventing trash from leaving the site and entering the Goose Creek. The proffer requires annual HOA inspection and maintenance.	
<u>Floodplain Encroachments</u> – The cul-de-sac, nine residential lots, and the pump station are shifted outside of the floodplain areas, as requested by Staff. While the Ordinance permits “road crossings” in the major and minor floodplain, a cul-de-sac is not considered a road crossing and is not permitted in the FOD (Floodplain Overlay District).	CDP Sheet 3
<u>Habitat</u> - The endangered and threatened species study submitted with the application indicates that the site contains State threatened Green Floater, Wood Turtle Habitat, and Oak Hickory Forest. According to the Virginia Department of Conservation and Recreation (DCR), the property includes areas of the Murray’s Ford Conservation Site, which is classified as having a “very high significance.” There are only 9 known occurrences of this community in Northern Virginia and the Western Virginia Piedmont. These resources are preserved within the 41-acre “Conservation Area” park that will be conveyed to the County.	CDP Sheet 3
<u>Trees and Vegetation</u> - The property has areas of existing hardwood tree cover. Some tree cover would be impacted by lots. Other hardwood forest stands would be preserved within the Conservation Area conveyed to the County. At the time of site plan, the County encourages using existing trees and vegetation outside of designated Conservation Area when providing any required planting.	CDP Sheet 3
<u>Wetlands</u> - The proposal would impact wetlands. The Applicant has enclosed a wetlands jurisdictional determination (#2013-0808) issued on June 12, 2013. A majority of the wetlands on the subject property will be within the conservation easement area. Other wetlands will be mitigated as required by the U.S. Army Corp of Engineers and the Virginia Department of Environmental Quality.	CDP Sheet 3
<u>Scenic Creek Valley Buffer</u> - The application provides the minimum required 200-foot setback from the Goose Creek measured from the channel scar line. (The Scenic Creek Valley Buffer is established to govern the construction of buildings, structures, parking, and other impervious surfaces in areas adjacent to scenic rivers and all waterways draining greater than 640 acres, Section 5-1000 of the Ordinance).	CDP Sheet 3
<u>Steep Slopes</u> - The property contains areas of very steep slopes and moderately steep slopes and is subject to additional performance standard in Section 5-1508 of the Ordinance. The Applicant has revised the plan to avoid very steep slopes. The application includes proffers to install chain link or super silt fencing around steep slopes prior to and during construction.	Proffer IX. B.
<u>Heritage Resources</u> – Five archaeological sites have been identified on the property in various studies conducted between 1988 and 2013. Staff requested a Phase 2 evaluation of Site 44LD1632, the archaeological site associated with a demolished late 18 th to early 19 th century tenant farm. The proposed development would have impacted the archaeological site. The Phase II report found that the site does not retain sufficient integrity to be eligible for listing on the National Register of Historic Places. No further work or mitigation is recommended.	No issue.

D. TRANSPORTATION

ZO §6-1210(E)(3) *Adequacy of sewer and water, transportation, and other infrastructure to serve the uses that would be permitted on the property if it were reclassified to a different zoning district [emphasis added].*

Analysis – There are no specific outstanding transportation issues. It is worth noting that suburban densities would bring suburban traffic patterns into the Transition Policy Area.

Trip Generation - Increasing the density by seventeen (17) times more than what is planned would generate a noticeable increase in traffic on Sycolin Road (Route 625) and within the Transition Policy Area. During a 24-hour period, the proposed rezoning would generate 742 more trips, 42 more a.m. peak hour trips, and 54 more p.m. peak hour trips compared to the existing TR-10 zoning. Distribution of this increase in site generated traffic is anticipated to be thirty (30) percent from the west/north on Sycolin Road, twenty-five (25) percent from the north on Belmont Ridge Road, thirty (30) percent from the south on Belmont Ridge Road, and fifteen (15) percent from the west on Ashburn Farm Parkway.

Table 7. Trip Generation Comparison – Existing versus Proposed Zoning.			
Land Use	AM Peak Hour	PM Peak Hour	Weekday Total Trips
Proposed Use 177 Age-Restricted Single-family Detached Units	60	69	880
By-right Use 11 Conventional Single-family Detached Units	18	15	138
Comparison	+42	+54	+742

Roundabouts – The Proffer Statement needs to be revised to reflect the Planning Commission’s (Commission) direction to remove the proposed Sycolin Road roundabouts from the application. At the Commission public hearing, the public expressed concerns regarding traffic and speed on Sycolin Road. In response, the revised application for the Commission work session proposed the construction of two (2) roundabouts on Sycolin Road: one (1) at the project’s main entrance and another at Turner Farm Lane as an interim condition until Sycolin Road is widened to a four-lane median divided facility.

Staff reviewed the roundabout proposal and does not recommend using roundabouts or other traffic calming devices on major collector roads such as Sycolin Road. The County has a residential program for traffic calming that could include the use of a roundabout, but only on a roadway classified as “local” (which Sycolin Road is not), where there are two (2) lanes, and the posted speed limit is no higher than 25 miles per hour. Another scenario in which a roundabout would be used is at an intersection instead of a stop sign or traffic signal. In their motion recommending approval of the application to the Board, the Commission directed the Applicant to remove the roundabouts from the application.

Sycolin Road currently operates as a two-lane undivided roadway in the vicinity of the subject property with a posted speed limit of 50 miles per hour (45 MPH for trucks). The roadway currently carries approximately 8,600 vehicles per day, according to the most recent (2012) VDOT-published daily traffic counts. Although currently designated by the 2010 Countywide Transportation Plan (2010 CTP) as a minor collector, in its ultimate

condition, Sycolin Road is planned to be reclassified as a major collector and constructed as a four-lane median divided (U4M) roadway (including turn lanes at all intersections) within a 90-foot right-of-way.

The following table summarizes the application's proffered transportation improvements. Based on the traffic study, such improvements technically mitigate the application's transportation impacts. However, the increased number of site-generated trips from 138 per day to over 1,000 per day would change the character of the Transition Policy Area.

Table 8. Proffered Transportation Improvements and Contributions.		
Proffered Improvement or Contribution	Trigger	Proffer
<u>Sycolin Road Dedication</u> – Dedicate 60' of right-of-way from centerline along site frontage	Prior to approval of 1 st record plat	III.A.
<u>Sycolin Road Turn Lanes</u> - Construct left-turn lane & right-turn taper at easternmost main site driveway	Prior to zoning permit for 5 th residential unit	III.B. Sheet 3.
<u>Sycolin Road Shared Use Path</u> – Construct a 10' wide asphalt use (within a 14' wide easement)	Prior to zoning permit for 1 st residential unit	VI.A. Sheet 9
<u>Sycolin Road Traffic Signal Warrant Analysis</u> – Conduct signal warrant analysis at easternmost main site driveway. Construct signal if warranted, or Make \$300,000 cash contribution if not warranted	Prior to zoning permit for 100 th residential unit Prior to zoning permit for 200 th residential unit Prior to zoning permit for 160 th residential unit	III.B.
<u>Regional Road Contribution:</u> a. \$5,000 per residential unit (\$885,000) <i>Use: County's discretion for transportation improvements in County.</i> b. \$2,500 per residential unit (\$442,500) <i>Use: Sycolin Road improvements, including but not limited to improving existing Goose Creek Bridge and design/construction of a new Goose Creek bridge.</i>	With each residential zoning permit With each residential zoning permit	III.C. III.D.
<u>Transit Contribution</u> - \$625 per residential unit (\$110,628)	With each residential zoning permit	III.E.
<u>Transit Service</u> – Establish a shuttle service to off-site locations within 10 miles on as needed basis. Survey residents annually to determine continued need.	Prior to zoning permit for 100 th residential unit	III.G.
<u>Traffic Noise Impact Study</u> – Submit study to County and implement recommended mitigation measures to mitigate traffic noise impacts from Sycolin Road upon residents. Study will be based on predicted future noise levels, the ultimate road configurations, and traffic volumes forecasted for 10 years from submission of the first CPAP for this project.	Prior to approval of 1 st record plat	X.

Table 9. Transportation. Resolved Issues.	
<u>Proposed Site Access</u> - The application proposes to construct one full-movement access (eastern) and one right-in/right-out access to Sycolin Road.	CDP Sheet 3
<u>Level of Service (LOS)</u> – With the proffered improvements, consistent with <u>2010 Countywide Transportation Plan</u> (CTP) policy, the LOS remains D or better for existing 2013 conditions and projected 2018 buildout conditions during both AM and PM peak hours. (In 2018 scenario, Traffic Study includes background traffic for Phase 1 of Stonewall Secure Business Park – 900,000 square feet data center and 100,000 square feet office and Goose Creek Village Development – 220 residential units, 75,000 square feet shopping center).	Traffic Study
<u>Sidewalks/Shared Use Paths</u> - The application proposes to construct a 10-foot wide shared-use path along the Sycolin Road frontage. This generally conforms to the CTP, which states that planned four-lane roads should have one 10-foot wide shared-use path (within the ROW or centered within a 14-foot easement) and one six-foot wide sidewalk. Currently, there are no bicycle or pedestrian facilities constructed on either side of Sycolin Road in the vicinity of the subject property. East of the Goose Creek bridge, there is a shared-use path constructed on the southern side of Sycolin Road. Further to the east near Belmont Ridge Road there are sidewalks constructed on both sides of Sycolin Road.	Proffer VI.A.

E. FISCAL AND CAPITAL FACILITIES IMPACTS

ZO §6-1210(E)(4) *The requirements for airports, housing, schools, parks, playgrounds, recreational areas and other public services.*

Analysis – The Comprehensive Plan does not support the proposed increased density at this location. Placing additional residential development in a portion of the County where it was not envisioned would require greater investment in public services and transportation infrastructure to support the needs of new residents. While an age-restricted community is not expected to generate the need for significant school services, an aging population is likely to generate the need for emergency medical service support, senior programs and facilities, parks, and library services, which are provided by the County. Anytime a development is approved that exceeds planned densities, it places a long-term burden on the County to accommodate the needs of the additional residents through ongoing operational costs, which are not included in capital facilities contributions. While one development alone may not place a significant burden on the County, it sets a precedent for similar proposals at a significant fiscal cost to the County.

The proffered capital facilities contribution is modified from the conventional per unit residential contribution by subtracting the public school cost, since the development is proposed to be occupied by residents who are aged fifty-five (55) and older. The Revised General Plan does make provision for the County to amend its capital facilities policies to reflect the service demands of the residents. Such policies specify that the Board may consider differences between age-restricted housing and conventional residential development (e.g., reduced numbers of school children, increased human services demand) in estimating the capital facilities needs associated with the development.

The total anticipated capital facilities impact of 177 single-family units without a school capital component would be \$2,513,046 (177 x \$14,198). The application proffers the anticipated amount (Proffer VII).

The Board accepted this same approach of deducting the public school component from the capital facilities contributions for the following previously approved age-restricted developments: Waltonwood, Ashby Ponds, Brambleton Active Adult, Potomac Green, Leisure World, and Central Parke at Lowes Island. Regency at Ashburn proffered the full contribution, including schools.

F. PUBLIC UTILITIES/PUBLIC SAFETY

ZO §6-1210(E)(3) *Adequacy of sewer and water, transportation, and other infrastructure to serve the uses that would be permitted on the property if it were reclassified to a different zoning district.*
(6) *The protection of life and property from impounding structure failures. [emphasis added].*

Analysis – There are no outstanding public utilities or public safety issues. The application proffers the anticipated one-time Fire and Rescue contribution of \$120 per residential unit (with a base year of 1988, adjusted annually in accordance with the Consumer Price Index) (\$21,240) and \$0.10 per gross non-residential square foot to be distributed equally to the first response fire and rescue facilities.

Based on previous experiences with age-restricted housing in Loudoun County, additional impacts are anticipated to both rescue and fire suppression resources. To offset these impacts, the application includes a proffered \$50,000 Emergency Equipment Contribution for the purchase of fire and rescue equipment at the Ashburn Fire and Rescue Department. For comparison to contributions made by other recent age-restricted projects, in addition to the \$120 fire and rescue per unit cash contribution:

- Waltonwood - proffered a \$50,000 Emergency Equipment Contribution for purchase of fire and rescue equipment at the Ashburn Fire and Rescue Facility.
- Ashby Ponds - proffered a \$175,000 contribution for an additional ambulance.

The following table below summarizes how this application addresses other public utilities and fire and rescue services.

Table 10. Public Utilities and Public Safety.	Proffer Condition or Note
<u>Water and Sewer</u> – Three existing wells on the subject property must be properly abandoned. The development would be served by public water and sewer. Loudoun Water has informed the applicant in writing that a sewage pump station would be required to serve this property, and that the design and construction of the pump station would be the Applicant's responsibility.	Proffer I.F.
<u>Fire & Rescue Service</u> - The Ashburn Fire and Rescue Station 6 would serve the subject property with an approximate response time of 7 minutes and 30 seconds.	Not an issue.

VII. ZONING ANALYSIS

Analysis – There is one (1) outstanding Zoning issue with the proposed application:

1. **Proposed Zoning District** – Staff questions if the proposed TR-2 zoning district is the most appropriate district for developing an active adult community and notes that the PD-AAAR (Planned Development Active Adult Age Restricted) would be a more suitable district to locate the proposed use. According to the district regulations, the PD-AAAR district is intended to be located in urban and suburban areas of the County where *high density* residential uses would otherwise be consistent with the County's Comprehensive Plan policies. Permitted density within a PD-AAAR zoning district is up to thirty (30) dwelling units per acre. Pursuant to Section 4-1300 of the Ordinance, the purpose and intent of the PD-AAAR district is “to provide for the establishment of planned adult residential communities that provide important housing opportunities for a population 55 years of age or older, in accord with Virginia Code Section 36-96.7, as amended”.

The application materials indicate that the target age for the proposed age-restricted community would be 55 to 74. In a written response to referral comments, the Applicant contends that the PD-AAAR district regulations are not appropriate, given that the proposed Wildwood Farms development would be “age-restricted” rather than “active adult”. The district regulations and County policy makes no distinction between these two terms. The name of the PD-AAAR district itself contains both “age-restricted” and “active adult”: “Planned Development-Active Adult Age Restricted”. At a minimum, the application should address the PD-AAAR district criteria and demonstrate conformance with such required uses and development criteria for the proposed development (Section 4-1300 of the Revised 1993 Zoning Ordinance “Ordinance”).

It could be a risk to approve TR-2 zoning (1 dwelling unit per 20,000 square feet) at this location with the justification that the development would be age-restricted. If the market changes and the developer is unable to sell some or all of the units as age-restricted units, the applicant could submit a Zoning Concept Plan Amendment to the County seeking to develop the units as conventional market rate units with no change in zoning or density. In contrast, PD-AAAR is an age-restricted zoning district. At the Village at Leesburg, Springfield East, L.C. converted 300 age-restricted units that were originally approved in 2005 into 168 market rate units (84 single-family attached and 84 stacked two-over-two). According to the Statement of Justification, “All of the 168 dwellings are planned to be larger units to be offered as upscale homes to a broader market than the currently permitted age-restricted units” (TLZM-2011-0002, approved on June 12, 2012).

The following issues were resolved during the Staff referral and Planning Commission process.

Table 11. Zoning – Resolved Issues.	Proffer Condition or Note
<u>Public Streets</u> – The Ordinance makes no provision for lots to be developed on private streets within the TR-2 zoning district. A Zoning Modification (ZMOD) cannot be used to allow private streets in the TR-2 district. The application has been revised to propose public (VDOT-maintained) streets.	CDP
<u>Affordable Dwelling Units</u> – Section 7-103 of the Ordinance requires the application to provide 12.5% affordable dwelling units, which would allow a 20% bonus density for single family detached and single family attached units. The application proposes affordable dwelling units based on 12.5% of the 177 total single family detached units proposed, thus requiring at least 22 affordable dwelling units.	Proffer VIII.
<u>Setbacks from Dulles Greenway</u> - Pursuant to Section 5-902(A)(2), the CDP provides the required minimum 150-foot building and 100-foot parking setback from the Dulles Greenway (Route 267) right-of-way.	CDP Sheet 3
<u>Airport Impact (AI) Disclosure</u> - Approximately 10 feet of the upper northwest corner of the subject property is within one mile of the Ldn 60 noise contour of the AI Overlay district. No lots are proposed within this area. Pursuant to Section 4-1404 of the Ordinance requires a disclosure statement shall be placed on all subdivision plats, site plans, and deeds to any parcel within the AI district, within one mile of the Ldn 60 noise contour of the Leesburg Executive Airport, clearly identifying any lot that is located within the AI district.	Proffer IX.E.
<u>Quarry Notification (QN) Overlay Notification</u> – The northern two-thirds of the subject property is within the QN overlay notification district associated with Luck Stone Quarry. Pursuant to Section 4-1804 of the Ordinance, the application includes a Proffer and note on the CDP that a disclosure statement shall be placed on all subdivision plats, site plans, and deeds to any parcel within the QN district, clearly identifying any lot that is located within the QN district, and disclose in writing to prospective purchasers that the lot(s) is located in an area that may be impacted by quarry operations and blasting.	Proffer IX.F. CDP, Sheet 1
<u>Cul-de-sac, Lots, and Pump Station Removed from FOD</u> – The revised application submitted for the December 2, 2014 Planning Commission work session relocated the previously proposed cul-de-sac, nine residential lots, and pump station outside of the Floodplain Overlay District (FOD), where such uses are not permitted.	CDP Sheet 3

IX. ATTACHMENTS		PAGE NUMBER
1	Staff's Findings for Denial	A-1
2	Review Agency Comments	
2a	Department of Planning and Zoning, Comprehensive Planning	A-2
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